

AN
AUTHENTIC COPY

OF THE

Lemox (Charles)

DUKE of RICHMOND'S BILL,

FOR A

PARLIAMENTARY REFORM.

L O N D O N:

Printed for J. STOCKDALE, opposite Burlington-House,
Piccadilly.

[PRICE ONE SHILLING and SIX-PENCE.]

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OF THE

Duke of Richmond's Bill

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PARLIAMENTARY REFORM

LONDON

Printed for J. Stockdale, opposite the Highgate House, Piccadilly.

[Printed for J. Stockdale and Son, London.]

W. B. B. B.

To the PUBLIC.

THE Bill of His Grace the Duke of Richmond proposes a System of Parliamentary Reform, which will be partially, if not wholly, adopted in Ireland. It will at least afford a Ground-work for whatever Superstructure Irish Policy may deem it expedient to erect. The Bill, therefore, of such Consequence in one Kingdom, contains Principles which should be generally diffused in the other; and with a laudable view to National Utility, it is now published.

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With

With respect to the object of a Parliamentary Reform, it is of that magnitude, to call for the Exertion of every Friend of this Country in its favour. The Duke of Richmond has formed a Plan; the Irish Volunteers will probably be the first to embrace each Part of the System which they conceive to be salutary. It only remains, that the People of England should imitate so glorious an Example, and seize with avidity the present golden Opportunity. Happily for the Kingdom, (and not a little commodious for themselves) the Nominal Whigs being

now

now in full Possession of all the Powers of Government; and having *never* in a single instance apostatized from their Principles, nor departed from their Professions, they cannot, consistent with common Decency, refuse to approve of this Measure; but must applaud a Bill, the adoption of which would be attended with the happiest Consequences to Constitutional Liberty.

Piccadilly, 29th Oct. 1783.

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which would be attended with
the heaviest consequences to Con-
stitutional Liberty, and to the

Present, and future State

I have the honor to be, Sir,
Your obedient servant,
J. C. Calhoun

A BILL ENTITLED

An ACT

for declaring and restoring the natural, unalienable, and equal Right of ALL the Commons of Great Britain (Infants, Persons of insane Mind, and Criminals incapacitated by Law, only excepted) to vote in the Election of their Representatives in Parliament: For regulating the Manner of such Elections: For restoring annual Parliaments: For giving an Hereditary Seat to the sixteen Peers which shall be elected for Scotland: And for establishing more equitable Regulations concerning the Peerage of Scotland.

WHEREAS the Life, Liberty, and Property of every Man, is or may be affected by the Law of the Land in which he lives, and every Man is bound to pay Obedience to the same.

And

And whereas, by the Constitution of this Kingdom, the Right of making Laws is vested in the three Estates of King, Lords, and Commons, in Parliament assembled, and the Consent of all the three said Estates, comprehending the whole Community, is necessary to make Laws which bind the whole Community.

And whereas the House of Commons represents all the Commons of the Realm, and the Consent of the House of Commons binds the Consent of all the Commons of the Realm, in all Cases on which the Legislature is competent to decide,

And whereas no Man is, or can be, actually represented who hath not a Vote in the Election of his Representative.

And whereas it is the Right of every Commoner of this Realm (Infants, Per-
sons

sons of infane Mind, and Criminals incapacitated by Law, only excepted) to have a Vote in the Election of the Representative who is to give his Consent to the making of Laws by which he is to be bound.

And whereas the Number of Persons who are suffered to vote for electing the Members of the House of Commons, do not at this Time amount to *one sixth* Part of the whole Commons of this Realm, whereby far the greater Part of the said Commons are deprived of their Right to elect their Representatives; and the Consent of the Majority of the whole Community to the passing of Laws is given by Persons whom they have not delegated for such Purpose; and the Majority of the said Community are governed by Laws made by a very small Part of the said Community, and to which the said Majority have
not

not in fact consented by themselves or by their Representatives.

And whereas the State of Election of Members of the House of Commons, hath in Process of Time so grossly deviated from its simple and natural Principle of Representation and Equality, that in several Places the Members are returned by the Property of *one Man*; that the smallest Boroughs send as many Members as the largest Counties; and that a Majority of the Representatives of the whole Nation are chosen by a Number of Voters not exceeding *twelve Thousand*.

Now, for Remedy of such partial and unequal Representation, and of the many Mischiefs which have arisen therefrom; and for restoring, asserting, and maintaining the *Rights* of the Commons of this Realm, Be it declared and enacted, and it

it is hereby declared and enacted by the King's most excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same; *That every Commoner of this Realm* (excepting only Infants, Persons of insane Mind, and Criminals incapacitated by Law) *hath a natural unalienable and equal Right to vote in the Election of his Representative in Parliament.*

And whereas it was accorded by Statute in the fourth Year of the Reign of King Edward the Third, "That a Parliament should be holden every Year once, and more often if need be;" which Statute was confirmed by another Statute passed in the 36th Year of the Reign of the said King Edward the Third: And the Practice in ancient Times was, for Writs to issue for the Election of a New Parliament every Year.

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And

And whereas frequent Elections are indispensably necessary to enable the Commons to alter and amend the Choice of their Representatives, as they may see Occasion ; and such Elections ought to be as frequent as may be, consistent with the Use of a representative Body ; and the ancient Practice of annual Elections is well calculated for such Purpose.

And whereas Triennial and Septennial Parliaments, by rendering the Exercise of the Right of Election less frequent, tend to make the Representatives less dependent on their Constituents than they always ought to be ; and also deprive the Commons for many Years after they come of Age of their Franchise of electing their own Representatives : Be it declared and enacted by the Authority aforesaid, *that the Election of Members to serve in the House of Commons ought to be annual.*

And

And whereas, in order to reform the manifold Abuses which in Process of Time have been suffered to take Root in the Manner of electing the Representatives of the Commons, and in order to establish a free, true, and equal Representation of all the People, it is necessary that all the Laws respecting the Election of Members of Parliament, not applicable to the present intended Reform, should be repealed and annulled, and that the Manner of electing the Commons in Parliament, and all Matters and Things respecting the same, be new modelled according to the present State of the Kingdom, and to the ancient and unalienable Rights of the People: Be it enacted by the Authority aforesaid, that all future Elections for Representatives of the Commons of Great Britain in Parliament, shall be made according to the Provisions and Regulations of this Act, and not otherwise; and that all other Acts,

Laws, Customs and Usages contrary thereto, or such Parts of them as are inconsistent therewith, shall be, and the same are hereby repealed, annulled, and made void to all Intents and Purposes whatsoever.

And be it further enacted, that the Number of Members to sit in the House of Commons shall remain and be the same as at present, and shall consist of *five Hundred and fifty eight Members.*

And whereas the due Proportion of Commoners to elect each Member of Parliament can be properly determined but from a Knowledge of the whole Number of Commoners in the Kingdom having a Right to vote: Be it enacted, that in order to ascertain the same, this Act shall forthwith be transmitted by one of His Majesty's principal Secretaries of State to the Minister of each Parish, and likewise

to each acting Justice of the Peace, in Great Britain: And each of the said Ministers shall read, or cause to be read, the said Act in his Parish Church, immediately after divine Service, and before the Sermon every Sunday in the Month of November next: And each of the said Justices of the Peace within their respective Districts shall diligently enquire on every Sunday in the said Month of November next, whether the several Ministers have read this Act accordingly; and if it shall be found that any Minister shall have neglected so to do, the Justice of the Peace finding such Neglect, shall cause this Act to be read by some other Person on the next Sunday, in such Parish Church, in Manner aforesaid.

And be it further enacted, that on the First of December next, the Minister of each Parish, together with the Church Wardens and Overseers of the Poor, shall
hold

hold a Vestry at the Church in the said Parish, which shall open at Eight o'Clock in the Forenoon, and shall close at Six o'Clock in the Afternoon of the same Day, at which all Persons, not belonging to the Royal Navy, or serving in the embodied Militia or Army, and being on that Day in the said Parish, shall have Liberty to attend. And the said Minister, Church Wardens and Overseers, shall make out a true and correct List of the Christian and Surname, Trade, Occupation, Age, and usual Place of Dwelling, of all the Men of the Age of 21 Years and upwards, who on that Day shall be in their respective Parishes, and who shall appear and claim a Right to vote for the Election of Members of Parliament, and shall subscribe and take the following Oath before the said Ministers, Church Wardens and Overseers, who are hereby enabled and required to administer the same, viz. " I A. B. do
 " swear,

“ I swear, that I am a natural born Subject
 “ of Great Britain, that I am of the
 “ Age of twenty-one Years, that I am
 “ not serving in the embodied Militia,
 “ nor belonging to the Royal Navy or
 “ Army, and that I have not this Day
 “ been to claim my Right of voting for
 “ the Election of a Member of Parlia-
 “ ment, or have been sworn for the same,
 “ before, in this or any other Parish or
 “ Place, so help me God.” And such
 Lists so made out shall be certified, under
 the Signature and Seal of the said Minister,
 and of each of the Church Wardens and
 Overseers who shall attend such Vestry, to
 be a true and correct List; and a Copy of
 the same shall be taken and preserved by
 such Minister, and by each of the said
 Church Wardens and Overseers; and such
 original List, together with all the Copies
 of the same, shall on the 15th of De-
 cember next be carried by such Minister,
 Church

Church Wardens and Overseers, to the Justices of the Peace, who are hereby required to hold Petty Sessions on that Day within their respective Divisions; and such Lists and Copies shall then and there be sworn to as true and correct, before such Justices of the Peace, by such Minister, Church Wardens and Overseers; and their respective Affidavits shall be certified on the said List by such Justices of the Peace. And such original List, so sworn to, shall by such Justices of the Peace be transmitted to the Clerk of the Peace of their respective Counties, or to the Town Clerk in Cities which are Counties of themselves, so that such Clerk of the Peace, or Town Clerk, may receive them on or before the first of January next. And the said Clerks of the Peace, and Town Clerks, shall transmit the said Lists to one of His Majesty's Principal Secretaries of State, so that he may receive them on or before the

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20th of January next. And one of the said Secretaries of State shall forthwith send the said List to the Twelve Judges, who shall meet in the Exchequer Chamber on the 21st of January next, for the Purpose of receiving such Lists.

And be it enacted, that the said Twelve Judges, then and there assembled, shall divide the total Number of Persons so returned by the Number Five Hundred Fifty Eight, being the Number of Members to be chosen; and the Quotient found shall be adjudged to be the Number of Persons having a Right to elect one Member of Parliament. And the said Judges shall then proceed to compute from the said Lists, the Number of Persons who have a right to vote in each County, or City being a County of itself, in Great Britain; and shall determine the Number of Members to be elected by each County, or City being a County of itself, in

Proportion, (or as near as may be) to such Number of Electors in each County or City, giving the Advantage to the smaller Counties or Cities, where the Numbers will not admit of exact Division. And the said Judges, having so determined the Number of Members to be returned by each County, and City being a County of itself, and the Number of Electors to chuse one Member, shall, on or before the 1st of February next, transmit an Account thereof to the Lord High Chancellor of England.

And be it enacted, that the said Lord High Chancellor shall, within four Days after receiving such Account, issue his Writ to the High Sheriff of each County, and to the Chief Magistrate in each City which is a County of itself, in Great Britain, directing him to summon a Grand Jury, consisting of all such Persons then living as have been heretofore summoned

on Grand Juries at the Affizes in his County, to meet at Eight o'Clock in the Forenoon, on the 10th of March next, at the usual Place of holding the Summer Affizes for his County; and likewise the Minister, Church Wardens, and Overseers of each Parish within his County to attend the said Grand Jury. And the said Chancellor shall transmit to the said High Sheriff and Chief Magistrate, an Account of the Number of Members to be returned by his County, and of the Number of Electors to chuse one Member; which Account the said Sheriff and Chief Magistrate shall deliver, or cause to be delivered, to the said Grand Jury when assembled.

And be it enacted, that on the 10th of March next, the said High Sheriff of each County, and Chief Magistrate of each City which is a County of itself, in Great Britain, shall attend, and be Foreman of,

the said Grand Jury ; or in Case of unavoidable Absence, another Person shall be chosen as Foreman by the said Grand Jury. And such Foreman is hereby authorized and required, first to take, and then to administer to every Person summoned and who shall attend the said Grand Jury, the following Oath : “ I A. B. do swear, “ that in the Allotment of the several “ Parishes, or Parts of Parishes, into Districts, for the Election of Members of “ Parliament within this County, I will act “ according to the best of my Judgment “ and Discretion, fairly and equally, and “ for the Conveniency of the said Districts, so help me God.” And the said Grand Jury shall then proceed to distribute into Districts the several Parishes of their County. And each District shall consist (as nearly as may be) of such Number of Persons, having a Right to vote, as are allotted to chuse one Member of Parliament according
ing

ing to the Lists made out in such Parishes, which will appear by the Duplicates preserved by the Ministers, Church Wardens, and Overseers, who are hereby required to attend such Grand Jury with such Duplicates. And where Parishes shall be greatly too large or too small to form Districts of themselves, such Parishes may be divided or joined either in whole or in part with other contiguous Parishes, for the Purpose of forming Districts as aforesaid, according to the Judgment and Discretion of the said Grand Jury. And the said Grand Jury having so divided their County into Districts, the same shall be adjudged to be and be called *Boroughs*: And the said Grand Jury shall affix to each Borough the Name of the principal Parish in such Borough. And the said Foreman shall return into the Court of Chancery, so that it may arrive there on or before the 1st of April next, a List of such Boroughs within his County, cer-
tified

tified under the Hands and Seals of the
said Foreman and of all the Members who
attended the said Grand Jury. And such
Certificate shall be in the following form :

“ We, whose Names are hereunto sub-
“ scribed and Seals affixed, the Fore-
“ man and Grand Jury of the County
“ of assembled on the 10th of
“ March 178 in Pursuance of an Act
“ passed in the Year of His present
“ Majesty's Reign, entitled an Act, &c.
“ do certify that the above Distribution
“ is an equal Division of the said County
“ into Districts, as directed by the said
“ Act, or as nearly so as the Circumstances
“ of this County would admit.”

And be it enacted, that each of the
said Boroughs in Great Britain, shall be en-
titled in all future Elections to elect one
Member to serve in the Commons House
of Parliament, and no more. And each
Member

Member so elected shall be called a Burgeſs. And the ſaid Burgeſſes ſhall conſtitute and form the Houſe of Commons of Great Britain. And no County, City, or Borough (other than is directed by this Act) ſhall in future be entitled to ſend any Knight, Citizen, or Burgeſs to Parliament.

And be it enacted, that the Lord High Chancellor, having received the Returns herein before directed to be made to him by the ſaid Foremen of Grand Juries, ſhall, on or before the 15th of April next, iſſue his Writ to the High Sheriff of each County, and to the Chief Magiſtrate of each City being a County of itſelf, in Great Britain, for the Election of one Member to ſerve in Parliament for each of the ſeveral Boroughs within his County or City: And the Form of the ſaid Writs ſhall

shall be such as is annexed to this Act. And the said High Sheriff and Chief Magistrate shall, within four Days after the Receipt of the said Writ, issue his Precept to the Head Constable or Senior Peace Officer, for the Time being, of each Borough within his County or City (who is hereby appointed Returning Officer of such Borough) for the Election of one Member to serve in Parliament for the said Borough; and the Form of the said Precept shall be such as is annexed to this Act,

And be it enacted, that the Returning Officer of each Borough shall, on the 15th of May next, cause Proclamation to be made in each Parish within his Borough, that the Day fixed for chusing a New Parliament is the 1st of September following; and that every Person, intending to offer himself as a Candidate

date

date for the said Borough, and duly qualified by Law, is to send to him, the said Returning Officer, a Declaration in Writing, signed by such Person, of his being a Candidate to represent the said Borough; so that he the said Returning Officer may receive the same on or before the 15th of June next. And the said Returning Officer shall, on the 16th of June next, cause the said Declaration or Declarations to be proclaimed in every Parish within his Borough, and a Copy thereof attested under his Signature to be affixed on the Door of the Church of every Parish within his Borough; or in Case he shall not have received any such Declaration, he shall make Proclamation that there are no Candidates for the said Borough. And it shall and may be lawful for the Inhabitants of such Borough to assemble in their respective Parishes on the 17th of June

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next,

next, to consider of the Candidates (if any) who offer, and to declare any other Candidate or Candidates they may think proper, by Writing addressed to the Returning Officer, and signed by not less than one Hundred of the said Inhabitants; provided such Declaration be delivered to the said Returning Officer before Six o'Clock in the Evening on the said 17th Day of June next, and that the Qualification of such Candidate or Candidates to sit in Parliament be situate within the said Borough. And the said Returning Officer shall, on the 18th of June next, cause a List of all such Candidates, distinguishing those who offer themselves from those who are set up by the Inhabitants, to be proclaimed in every Parish within his Borough, and likewise a Copy of such List, attested under his Signature, to be affixed on the Door of the Church
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of every Parish within his Borough. And the said Returning Officer shall, on the said 18th of June next, transmit by the Post to one of His Majesty's principal Secretaries of State a List of such Candidates. And one of the said Secretaries of State shall cause the same to be inserted in the Gazette on or before the 15th of July next: And no other Person shall thereafter become a Candidate for such Borough at such Election.

And be it enacted, that every Person who shall be so declared by one Hundred of the Inhabitants of any Parish, to be a Candidate for the Borough in which such Parish is situate, and whose Qualification shall at the Time of such Declaration be situate within the said Borough, shall, if chosen, be compellable to attend Parliament like other Members. Provided always, that no Person, having served for one

Parliament, shall be compellable to serve again.

And be it enacted, that the Senior Peace Officer for the Time being, of each Parish, shall act as Deputy to the Returning Officer of the Borough in which such Parish is situate, and shall in all Things respecting this Act, pay due Obedience to such Directions as he shall receive from the Returning Officer, and previously to his acting as his Deputy, shall take the following Oath before the said Returning Officer, “ I A. B. “ will faithfully and honestly discharge “ my Duty as Deputy to the Returning “ Officer of the Borough of “ in the Election of a Member of Parlia- “ ment, so help me God ;” which Oath the said Returning Officer is hereby authorised and required to administer.

And

And be it enacted, that on the 1st of September next, the Senior Peace Officer in each Parish throughout the Kingdom of Great Britain, shall make Proclamation at Eight o'Clock in the Forenoon, at the Church of the said Parish, that he is immediately proceeding to the Election of a Member to serve in Parliament for the Borough in which such Parish is situate; and that such Election will close at Six o'Clock on the same Evening. And such Senior Peace Officer shall then declare the Names of such Persons as are legal Candidates for such Borough, and read, or cause to be read, the Clauses in this Act which inflict Penalties on Persons who shall be found guilty of Perjury, Bribery, Corruption, or other Offences against this Act, and which incapacitate Persons convicted of certain Crimes from being elected, or from voting for the Election of, a
 Member

Member of Parliament. And the said Senior Peace Officer shall then proceed to collect the Votes, by taking a Poll in such Manner as is herein after directed, of all such Men as shall on that Day be in the said Parish and shall offer themselves to vote. And such Poll shall continue open until Six o'Clock in the Afternoon of the same Day, and no longer. And every Man offering himself to vote, shall give an Account of his Christian Name, Surname, Trade or Occupation, and usual and last Place of Abode, and shall sign his Name or make his Mark opposite to an Entry thereof which shall be made in a Book to be provided by the Senior Peace Officer for such Purpose. And every Man offering himself to vote shall take the following Oath, which the said Officer is hereby authorised and required to administer. " I A. B. do swear that I am a
 " natural

“ natural born Subject of Great Britain,
 “ that I am twenty-one years of Age, that
 “ I have not on this Day voted before in
 “ this Parish, or in any other Parish or
 “ Place, for the Election of a Member of
 “ Parliament ; that I am not an Officer,
 “ Non-commissioned Officer, Warrant-
 “ Officer, Drummer, or private Man in
 “ the embodied Militia, Navy, or Army;
 “ and that my Christian Name, Surname,
 “ Trade, Occupation, and usual and last
 “ Place of Abode, is such as by me now de-
 “ clared, so help me God.” And every
 Man offering himself to vote, shall further
 take such Oath or Oaths as are, or may
 be, enacted against Bribery and Corrup-
 tion. And every man whatever (not of in-
 sane Mind, or a Criminal incapacitated by
 Law) offering himself to vote in any Parish,
 who shall have given an Account of himself
 as aforesaid, and shall have taken the afore-

said

said Oaths, shall be admitted to Vote at such Election for such legal Candidate as he shall think fit.

And be it enacted, that in case the said Senior Peace Officer shall have cause to suspect that any Person voting at such Election is not entitled so to vote according to the true Intent and Meaning of this Act, or shall be requested by any of the Candidates, or by any of their Agents, to place a Quere opposite to the Name of any Voter, such Officer shall enter in the Poll Book a Quere opposite to the Name of such Voter, with the Reason of such Quere, but shall not refuse to take the Vote of any Man who shall have signed the Book and taken the Oaths aforesaid; and the Validity of such queried Vote shall afterwards be determined, upon Petition, by the Committee of the House of Commons

Committee of the House of Commons to which such Election shall be referred. And such Peace Officer shall on the Day next after the Election deliver to the Returning Officer of his Borough the Poll Book so taken. And the Senior Peace Officer of every Parish shall provide a sufficient Number of Clerks to aid and assist him in taking the said Poll. And the Justices of the Peace in their Quarter Sessions, to be held next after such Expence for the Hire of the said Clerks and the Purchase of the said Books shall have been incurred, shall allow the same, or so much as they shall deem reasonable; and such Expences so allowed shall be paid by the Treasurer of the County out of the County Rates.

And whereas Men serving as Officers, Non-Commissioned Officers, Warrant Officers, Drummers or Private Men in

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the embodied Militia, Navy or Army, may at the Time of Election be assembled together in large Bodies in places distant from their respective Parishes, and if suffered to vote like other Subjects for whatever Borough they may chuse, might combine together under improper Influence and vote in Bodies, and thereby decide the Election in Places to which they do not belong, and where they have no Connexion, to the Prejudice of the Inhabitants of such Places and of the Kingdom at large: And whereas it would be unjust that Men who expose their Lives for the Defence of their Country should be deprived of those essential Rights which are by this Act restored to every Subject, Be it enacted for the Preservation of such Rights, and for the Prevention of such Inconveniences, that every Officer, Non-Commissioned Officer, Warrant Officer, Drum-

Drummer, and Private Man in the Embodied Militia, Navy or Army shall be entitled to vote for the Election of a Member to represent him in Parliament in the Manner herein after directed and not otherwise.

And be it enacted, that every Officer, Non-Commissioned Officer, Warrant Officer, Drummer and Private Man in the Navy or Army, and every Officer, Non-Commissioned Officer and Drummer of Militia when embodied, shall (if he shall so think fit) as soon as he shall arrive, or be, in any Port or Place within this Kingdom, go before and be examined upon Oath by a Justice of the Peace touching the Place, of his last Settlement if in England, or of his Birth if in Scotland; and such Justice of the Peace shall for the Purpose of this Act adjudge the same

accordingly, and give a Certificate of such Adjudication to the Commanding Officer of the Ship or Corps to which such Man belongs; and when any Man shall enter or enlist, or receive a Commission in the Militia, Navy or Army, a similar Proceeding in respect to such Man shall be had if required; and the said Commanding Officer shall from Time to Time, within eight Days after the Receipt of any such Certificate from a Justice of the Peace transmit the same to the Office of Admiralty or War Office. And such Certificate shall be filed and kept in the said Office as Matter of Record. And the Board of Admiralty or Secretary at War shall, within one Month after the Receipt of such Certificate, cause a Copy thereof attested by the Secretary or Chief Clerk of the said Office to be transmitted to the Parish to which such Man

is

is adjudged to belong: And in case any Man shall be removed or drafted from one Ship or Corps to another, an Account of such Removal shall in like Manner be certified to such Parish: And all such Certificates so transmitted to such Parish shall be preserved in a Chest in the Church of such Parish.

And be it further enacted, That every Officer, Non-Commissioned Officer, Warrant Officer, Drummer, or Private Man, in the Navy or Army, shall be entitled to vote for the Election of a Member of Parliament only for the Borough in which the Parish to which he has been so adjudged to belong is situate: And every Officer serving in the Militia, who shall have delivered in to the Clerk of the Peace his Qualification, shall, during the Time he is embodied, be entitled

titled to vote for the Election of a Member of Parliament only in such Borough where such Qualification, or the greater Part thereof, is situate: And every other Officer, Non-Commissioned Officer and Drummer of Militia shall during the Time he is embodied, be entitled to vote for the Election of a Member of Parliament only in such Borough in which the Parish he shall have been so adjudged to belong is situate: And every Private Militia Man, while he is embodied, shall be entitled to vote for the Election of a Member of Parliament only for the Borough in which the Parish he shall then be serving for is situate. And the Clerk of the Peace in each County where the Militia is or shall be raised shall on the First of August next make out a Certificate of the Qualification delivered to him of each Officer who shall then be serving

ving in the embodied Militia, and shall sign and transmit the same to the Senior Peace Officer of the Parish, in which the said Qualification, or the major Part thereof, is situate.

And be it enacted, that as soon as the List of Candidates shall appear in the Gazette, every Officer, Non-Commissioned Officer, Warrant Officer, Drummer and Private Man in the Embodied Militia, Navy, or Army, who shall at that Time be residing in Great Britain, or be in any Port within the Kingdom, shall, within twenty-six Days after the said Publication in the Gazette (that is, on or before the 10th of August next) having a Right to go before a Justice of the Peace, and give his Vote in Favor of any Person who is a legal Candidate for such Borough as he is entitled to vote. And the said Justice of the Peace

Peace shall read to such Person a List of the Candidates for the Borough for which he shall claim a Right to vote, as published in the Gazette; and also the Clauses in this Act which inflict Penalties on Persons who shall be found guilty of Perjury, Bribery, Corruption, or other Offences against this Act, and which incapacitate Persons convicted of certain Crimes from being elected, or from voting for the Election of a Member of Parliament; and shall likewise administer to such Persons the following Oath: "I A. B. do swear that I
 " am a natural born Subject of Great Bri-
 " tain, that I am twenty-one Years of
 " Age, that I am an Officer, Non-Com-
 " missioned Officer, Warrant Officer,
 " Drummer, or Private Man in the em-
 " bodied Militia, Navy or Army (*as the*
 " *Case may be, specifying the Ship or*
 " *Corps to which such Person belongs*) and
 " that

" that I have not before voted for any
 " other Place than that for which I now
 " claim a Right to vote." And likewise
 such Oath or Oaths as are, or shall be, en-
 acted against Bribery and Corruption:
 And such Justice of the Peace shall then
 take an Account of the Name, Rank, and
 Corps, of such Person, and of the Candi-
 date for whom he shall vote; which Ac-
 count shall be subscribed and sworn to by
 such Person, and certified by such Justice
 of the Peace, who shall by the next Post
 transmit the same to the Returning Of-
 ficer of the Borough for which such Per-
 son shall vote, such Person paying to the
 Clerk of the said Justice of the Peace one
 Shilling for the same, and no more. And
 the Returning Officers of the several Bo-
 roughs shall not be chargeable with any
 Duty of Postage for Letters containing
 such Certificates.

F

And

And be it enacted, that one of his Majesty's principal Secretaries of State shall cause the Gazette or Gazettes, containing the said List of Candidates, to be transmitted, as soon as published, to every acting Justice of the Peace within the Kingdom.

Provided always that nothing in this Act contained shall deprive or be construed to deprive any Person belonging to the Militia, when disembodied, from voting in such Borough as he shall think fit, in the same Manner as all other Commoners are by this Act enabled to do.

And be it enacted, that the said Returning Officer shall immediately after having received the Poll Books, proceed, with the Assistance of the Peace Officers who have taken the Poll Books, to examine the said Poll Books, together with such Certificates

cates as shall have been made to such Returning Officer from Justices of the Peace of the Votes given by Persons in the embodied Militia, Navy, and Army, for his Borough; and shall compare such Certificates of Votes with the Certificates before transmitted from the Admiralty, or War Office, of the Adjudications respecting such Right of voting; and with the Certificates of the Clerks of the Peace concerning the Qualification of Officers of Militia: And such of the said Votes as shall appear to the said Returning Officer to be legal Votes, shall be by him admitted as such: And such Returning Officer shall within three Days after the Election, declare that Candidate to be duly elected who shall appear from the Poll Books, and from the Certificate Votes, to have the greatest Number of legal Votes in his Favor, admitting such as are queried.

And the several Returning Officers shall, immediately after having made such Declaration, make their Returns to the Precepts from their respective High Sheriffs. And the respective High Sheriffs shall, immediately after receiving such Returns from the Returning Officers, make their Returns to the Writs from the Lord High Chancellor. And the Lord High Chancellor shall cause a List of the Names of the Members who are returned for their respective Boroughs, to be published in the Gazette, on or before the First of October next.

And be it enacted, that it shall be lawful for every Commoner (possessing a landed Qualification as by law directed) to offer himself as a Candidate for any Borough within the Kingdom, and for as many Boroughs as he shall think proper;
and

and if any Candidate is returned a Member for more than one Borough, such Member shall, within fourteen Days after the List of Members returned shall have been published in the Gazette, make his Option in Writing, directed to the Lord High Chancellor of England, of the Place for which he chuses to serve. And the Lord High Chancellor shall forthwith issue a new Writ for a new Election for that Borough, or those Boroughs, for which such Member hath not made his Option to serve. And in Case any Vacancy shall happen for any Borough previous to the Election of a Speaker of the House of Commons, the Lord High Chancellor shall issue his Writ for filling up such Vacancy; and in Case any Vacancy shall happen for any Borough after a Speaker is chosen, the Speaker shall

shall issue his Warrant for filling up such Vacancy.

And be it enacted, that when any Vacancy for a Borough is to be filled up, such Persons only as by the Poll Books or Certificates shall appear to have actually voted at the last General Election in or for the Borough where such Vacancy shall happen, shall have a Right to vote at the Election occasioned by such Vacancy.

And be it enacted, that the House of Commons, so chosen, shall meet every Year, when summoned by His Majesty's Proclamation for the Dispatch of Business: That all petitions concerning undue Returns shall be presented the first Day of the Sessions: That the House of Commons, immediately after swearing their

their Members, shall proceed to chuse Committees, as by Law directed, to decide Elections against which petitions shall have been presented: That no other Business shall be proceeded on until all the said controverted Elections shall be decided: That several Committees may proceed at the same Time on different Elections: That the House shall sit and be called over every Day until Committees for all contested Elections shall be formed: That no Committee shall be allowed to sit longer than three Days for the Determination of any one Election: That no Council for any of the parties shall be allowed to speak after the first Day: And that the Witnesses shall be examined by the Committee and not by the Council.

And be it declared and enacted by the Authority aforesaid, that the House of Commons,

Commons, so elected, shall be taken and reputed to be the only true Representatives of all the Commons of Great Britain, and shall, by the Consent of the said Representatives, or by the Majority of them, bind the Consent of all the Commons of Great Britain, in all Matters and Things on which the said House of Commons is competent to decide, and to the passing of all such Laws as Parliament hath a Right to enact.

And be it further enacted, that the House of Commons, so chosen, shall continue, and be, the Representatives of the Commons of Great Britain for one Year only, and no longer; to be computed from the first Day of September on which such Election shall have taken Place. And that on the first Day of September in every Year, for ever after, (or on the second of September

September when the First shall fall on a Sunday) all the Commons of Great Britain (excepting only Minors, Persons of insane Mind, and Criminals incapacitated by Law) shall proceed to the Election of new Burgeſſes, in the ſame Manner and Form, as herein before directed to be obſerved for the Election of Burgeſſes for the Year next enſuing.

And whereas the Oaths, which by this Act are directed to be taken, for preventing the Admiſſion of illegal Votes, may not be a ſufficient Guard againſt the ſame, unleſs the Breach of ſuch Oaths be attended with Punishments adequate to ſuch Offences, Be it enacted, that in Caſe any Perſon ſhall be duly convicted of Wilful Perjury, in falſely taking any of the Oaths preſcribed by this Act, every ſuch Perſon ſhall be committed to the Common Goal of the

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County

County where such Offence shall have been committed, there to remain without Bail or Mainprize for the Space of three Years, and be incapable of ever voting again in any Borough for the Election of a Member of Parliament. Provided always that every prosecution for such Offence shall be commenced within twelve Calendar Months next after the same shall have been committed, and not afterwards.

And be it enacted, that no Person who has been, or shall be, duly convicted in a Court of Law within this Realm of the Crimes of high Treason, Treason, Murder, Felony, Perjury, Forgery, Grand or Petty Larceny, or any of them, shall be capable of being elected, or of voting for the Election of, a Member of Parliament in or for any Borough within this Kingdom.

And

And be it further enacted, that if any Person herein directed to perform or do any Matter or Thing relative to the carrying this Act into Execution, shall neglect, or refuse, to pay due Obedience thereto, in such Manner, and at such Times, as is and are herein prescribed, every Person so offending shall forfeit the Sum of Five Hundred Pounds to any Person who shall sue for the same in any of His Majesty's Courts of Record at Westminster by Action of Debt, Bill, Plaint or Information, wherein no Effoin, Protection or Wager of Law, nor more than one Imparlance, shall be allowed. And in Case such Offender shall be the Lord High Chancellor, or any of the Judges, or either of the Secretaries of State, or any Clerk of the Peace, he shall, over and above such Penalty, be, from the Time of such Conviction, incapable of ever holding any Office of Trust or Profit,

Provided always that every Suit, Action, or Prosecution for such Offence, shall be commenced within 12 Calendar Months next after the same shall have been committed, and not afterwards.

And whereas the Peers of Scotland in the Parliament of Great Britain are at present elected for Seven Years, whereby the said Peers of Scotland are not upon the same Footing with the Hereditary Peers of England, Be it enacted by the Authority aforesaid, that the Peers of Scotland shall, on the first Day of September next, proceed to the Election of sixteen Peers to sit in the Parliament of Great Britain for the Kingdom of Scotland, and that such sixteen Peers so elected, and their Heirs Male succeeding to their Peerage, shall from the Time of such Election, continue to sit and vote in the Parliaments of Great Britain,

as Peers of Scotland, without any new Election for such purpose. And when any Vacancy shall happen, by the Extinction of the Male Line in any of the Peerages belonging to the Peers elected to represent the Peerage of Scotland in the Parliament of Great Britain, such Vacancy shall be filled up by a Peer of Scotland, to be chosen by the Peers of Scotland; and the Peer so chosen, and his Heirs Male succeeding to his Title, shall, from the Time of such Election, continue to sit and vote in the Parliaments of Great Britain, as a Peer of Scotland, without any new Election for such Purpose.

And whereas Peers of Scotland having a Right to sit and vote in the Parliament of Great Britain, whether by Election of the Peers of Scotland, or by being also English Peers, ought not to have another Vote to
be

be represented in the said Parliament, Be it enacted, that no Person having a Right to sit and vote in the Parliament of Great Britain, either as a Peer of England or of Scotland, shall have a Right to vote for the Election of a Peer of Scotland to sit and vote in the said Parliament of Great Britain.

And whereas the Peers of Scotland, not elected to sit and vote in the Parliament of Great Britain, will have a more distant Prospect of being so elected, when the Right of sitting and voting is Hereditary in the Male Line of the Families of the Peers so elected, and when there will be no new Elections excepting when such Peerages in the Male Line shall become extinct; and it is unreasonable that the Peers of Scotland not elected as aforesaid should for so long a Time be deprived of the Capacity

pacity, which all other Subjects within
 the Realm have, of being created Peers of
 Great Britain, and of being elected Mem-
 bers of the House of Commons: And
 whereas it is also unreasonable that the
 eldest Sons, and Heirs apparent, of Peers
 of Scotland should not be eligible to re-
 present the Commons of Scotland, in the
 same Manner as They, and the eldest Sons
 and Heirs apparent of the Peers of Eng-
 land, are eligible to represent the Com-
 mons in England, Be it enacted by the
 Authority aforesaid, that all Peers of
 Scotland, as likewise the eldest Sons,
 and Heirs apparent, of Peers of Scot-
 land, shall in future be capable of being
 created Peers of Great Britain, and of sit-
 ting and voting in Parliament in Conse-
 quence of such Creation, and that the
 prior Possession of a Peerage of Scotland,
 or being eldest Son, or Heir apparent, of
 a Peer

a Peer of Scotland, shall be no Bar or Hindrance to such new Creation. And that all Peers of Scotland, not elected to sit and vote in the Parliament of Great Britain, and the eldest Sons, and Heirs apparent, of Peers of Scotland, shall be and they are hereby declared to be capable of being chosen to represent the Commons of Great Britain, for any Borough within the Realm, in the same manner as other Persons not having a Right to sit and vote in the House of Lords. And that the Possession of such Peerage of Scotland, or the being Eldest Son, or Heir apparent, of a Peer of Scotland, shall be no Bar or Hindrance to such Election, in any Borough or Place within the Realm.

Form

Form of the Writ to be issued by the Lord High Chancellor, on or before the 15th of April every Year, to the High Sheriff of each County, and to the Chief Magistrate of each City, being a County of itself, in Great Britain.

GEORGE the Third, by the Grace of God of Great Britain, France and Ireland, King, Defender of the Faith, and so forth. To the Sheriff of the County (or City) of Greeting. Whereas by the Advice and Assent of our Council for certain arduous and urgent Affairs, concerning us, the State and Defence of our Kingdom of Great Britain, and the Church, we have ordered a certain Parliament to be holden at our City of Westminster on the Day of next ensuing, then and there to treat and

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have,

have Conference with the Prelates and Great Men and Peers of our Realm, Therefore we command and strictly enjoin you, that you cause Proclamation of the Day and Place aforesaid to be made in your next County Court to be holden after the Receipt of this our Writ, and that within four Days after receiving this our Writ, you issue your Precept to the Head Constable or Senior Peace Officer for the Time being, of each Borough within your County (or City) for the Election of one Member to serve in Parliament for such Borough, directing him, on the 1st of September next, to cause one Burgeſs of the moſt ſufficient and diſcreet, freely and indifferently, to be elected by thoſe who ſhall be preſent at ſuch Election, according to the Form of an Act paſſed in the Year of our Reign entitled “ An Act
“ for

“ for declaring and restoring the natural,
 “ unalienable and equal Right of *All*
 “ the Commons of Great Britain (In-
 “ fants, Persons of insane Mind, and
 “ Criminals incapacitated by Law, only
 “ excepted) to vote in the Election of
 “ their Representatives in Parliament:
 “ For regulating the Manner of such
 “ Elections: For restoring annual Par-
 “ liaments: For giving an Hereditary
 “ Seat to the Sixteen Peers which shall
 “ be elected for Scotland: And for
 “ establishing more equitable Regula-
 “ tions concerning the Peerage of Scot-
 “ land.” And the Names of those Bur-
 gesses so to be elected (whether they be
 present or absent) you cause to be in-
 serted in certain Indentures to be there-
 upon made between you and those who
 shall be present at such Election, and
 them at the Day and Place aforesaid,
 you,

you cause to come in such manner, that the said Burgesſes for themſelves and the Commonalty of the ſaid Boroughs, may have from them full and ſufficient Power to do and conſent to thoſe Things which then and there by the Common Council of our ſaid Kingdom (by the Bleſſing of God) ſhall happen to be ordained upon the aforeſaid Affairs, ſo that for Want of ſuch Power, through an improvident Election of the ſaid Burgesſes, the aforeſaid Affairs may in no wiſe remain unfinished. Willing nevertheless that neither you nor any other Sheriff of this our ſaid Kingdom be in any wiſe elected. And that the Elections, in the full Boroughs in your County, ſo made diſtinctly and openly under your Seal and the Seals of thoſe who ſhall be preſent at ſuch Election, you do certify to us in our Chancery,

Chancery, at the Place aforesaid, immediately after Returns shall have been made to your Precepts from the aforesaid Head Constables or Senior Peace Officers of each Borough within your said County, (or City) remitting to us one Part of the aforesaid Indentures annexed to these Presents, together with this Writ. Witness ourself at Westminster the Day of in the Year of our Reign.

Form of the Precept to be issued by the High Sheriff of each County, and by the Chief Magistrate of each City, being a County of itself, in Great Britain, every Year, within four Days after receiving the Writ from the Lord High Chancellor, to the Head Constable or Senior Peace Officer, for the Time being, of each Borough within his County or City.

—(to wit) A. B. Esqr. Sheriff of the County (or City) aforesaid, To the Head Constable or Senior Peace Officer of the Borough of in my said County (or City) Greeting. By Virtue of his Majesty's Writ under the Great Seal of Great Britain to me directed for electing a Burgess to serve in the Parliament

to

to be holden at the City of Westminster
 on the Day of next ensuing, for
 the Borough of aforesaid, These are
 therefore to will and require you that
 you make Proclamation within the said
 Borough of the Day of Election, and
 cause freely and indifferently to be
 elected one Burgeſſs of the moſt ſuffi-
 cient and diſcreet, by thoſe who ſhall
 be preſent at ſuch Election, according
 to the Form of an Act paſſed in the

Year of our Reign,
 entitled “ An Act for declaring and re-
 “ ſtoring the natural, unalienable, and
 “ equal Right of ALL, the Commons of
 “ Great Britain (Infants, Perſons of in-
 “ ſane Mind, and Criminals incapacitated
 “ by Law, only excepted) to vote in the
 “ Election of their Representatives in
 “ Parliament : For regulating the Manner
 “ of ſuch Elections : For reſtoring annual
 ‘ Parliaments

“Parliaments : For giving an Hereditary
 “Seat to the Sixteen Peers which shall be
 “Elected for Scotland : And for esta-
 “blishing more equitable Regulations
 “concerning the Peerage of Scotland.”—
 And the Name of the said Burgefs so
 elected (whether he shall be present or
 absent) you cause to be inserted in certain
 Indentures to be made between me and
 those who shall have Interest in such Elec-
 tion, and that you cause Him to be and
 appear at his said Majesty’s Parliament to
 be holden at the said City of Westminster
 on the said Day of next en-
 suing, so that the said Burgefs may have
 full and sufficient Power for himself and
 the Commonalty of the said Borough, to
 do and consent to those Things which of
 the Common Council of the said Realm
 shall be requisite and necessary to be done.
 And

And you are not to elect me or any other Sheriff of Great Britain. And the said Election you are forthwith to certify to me, sending to me one Part of the said Indentures annexed to this Precept that I may certify the same to his Majesty in Chancery. Herein fail not. Given under the Seal of my Office this Day of
in the Year of the Reign of our Sovereign Lord George the Third, of Great Britain and so forth, and in the Year of our Lord

N O T E.

THE Form of the Writs and Precepts still in use, (which is supposed to be very antient,) has been adhered to as much as possible. And it is remarkable
that

that these Writs to the Sheriff still direct that all the Members for the County, and for every City, and for every Borough in his County, *shall be elected by those who at the Proclamation* (to be made in the County Court) *shall be present*, according to the Form of the Statute in such case made and provided: Indentures are to be made between the Sheriff and *those who shall be present at such Election*: the Election is to be made in *His full County* distinctly and *openly* and the Members are to come in such manner that they may have for themselves and the Commonalty of their respective Boroughs, &c. sufficient Power to do and consent to those Things which by the Common Council of the Kingdom may happen to be ordained upon the said affairs (on which Parliament is summoned) so that for want of such Power, through an improvident Election

Election of them, the said affairs may in no wise remain unfinished.

The Precept from the Sheriff also directs the returning Officers of Cities and Boroughs that two Members shall speedily and *indifferently be Elected by those who shall be present at the said Election* according to the Form of the Statute in such Case made and provided.

F I N I S.

In view of the fact that the said papers are in the
possession of the said Government.

The Proceeds from the Sale of the said
papers, the remaining portion of the said
proceeds shall be paid to the said
Government. And the said Government
shall be entitled to the said
proceeds in such
manner and on such
conditions as may be
determined by the
said Government.



P. I. N. T.

